

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**Richard E. Clark, :  
Plaintiff : Case No: C-1-01-846  
v. : Judge Spiegel  
Correctional Medical Services :  
(CMS), et al. :  
Defendants.**

**MOTION FOR EXTENSION OF TIME**

Now come the Defendants, CMS and Dr. Helen Kohn, and move this Court for an extension of time to file their reply brief in support of their Motion for Summary Judgment until February 20, 2004. This Motion is necessary because counsel for plaintiff has recently received an extension to file their Memoranda Contra until February 6, 2004. The undersigned will begin trial in Ross County before Judge Corzine beginning on Monday February 9, which trial will take at least one week. The undersigned is unlikely to receive and be able to review Plaintiff's brief until after that trial is concluded and additional time is needed to prepare a reply.

For the foregoing reasons, this Court is asked to grant an extension of one week, from February 13, 2004 to February 20, 2004. Counsel for Plaintiff has indicated that he is not in opposition to this motion.

Respectfully submitted,

/s/ Vincent J. Lodico

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#### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was filed electronically, and served to all parties via electronic mail, this 4<sup>th</sup> day of February, 2004 to:

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/s/ Vincent J. Lodico

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VINCENT J. LODICO